

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

LS CLOUD STORAGE
TECHNOLOGIES, LLC,
Plaintiff,

v.

MICROSOFT CORPORATION,
Defendant

LS CLOUD STORAGE
TECHNOLOGIES, LLC,
Plaintiff,

v.

AMAZON.COM, INC., AMAZON WEB
SERVICES, INC., AND AMAZON.COM
SERVICES, INC.
Defendants.

Civil Action No. 6:22-cv-00321-ADA

Civil Action No. 6:22-cv-00316-ADA-DTG

AGREED SCHEDULING ORDER

LS Cloud Storage Technologies, LLC (“LS Cloud”), Microsoft Corporation (“Microsoft”) and Amazon.com, Inc., Amazon.com Service LLC, and Amazon Web Services, Inc. (collectively “Amazon”) hereby provide the following proposed Scheduling Order in accordance with the Court’s Standing Order Governing Proceedings (OGP) 4.1—Patent Cases:

Deadline	Item
07/22/2022	The Parties shall submit an agreed Scheduling Order. If the parties cannot agree, the parties shall submit a separate Joint Motion for entry of Scheduling Order briefly setting forth their respective positions on items where they cannot agree. Absent agreement of the parties, the Plaintiff shall be responsible for the timely submission of this and other Joint filings.

7/25/2022	Plaintiff serves preliminary infringement contentions in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also identify the earliest priority date (<i>i.e.</i> the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.
08/25/2022	Deadline to file a motion for inter-district transfer. After this deadline, movants must seek leave of Court and show good cause for the delay.
10/06/2022	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).
10/20/2022	Parties exchange claim terms for construction.
11/10/2022	Parties exchange proposed claim constructions.
11/23/2022	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. ¹ With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
12/9/2022	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.

¹ Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party.

12/22/2022	Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite.
1/20/2023	Plaintiff files Responsive claim construction brief.
2/10/2023	Defendant files Reply claim construction brief.
2/10/2023	Parties to jointly email the law clerk: Txdml_lawclerks_wa_judgealbright@txwd.uscourts.gov to confirm their <i>Markman</i> date.
2/24/2023	Plaintiff files a Sur-Reply claim construction brief.
3/1/2023	Parties submit Joint Claim Construction Statement. <i>See General Issues Note #7 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).</i>
3/10/2023	Parties submit optional technical tutorials to the Court and technical adviser (if appointed). ⁹
03/24/2023	<i>Markman</i> Hearing at 9:00 a.m. This date is a placeholder and the Court may adjust this date as the <i>Markman</i> hearing approaches.

Dated: July 22, 2022

Respectfully submitted,

Ramey LLP

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the above and foregoing document has been served on July 22, 2022, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ William P. Ramey, III
William P. Ramey, III